

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:02-CR-80-H
No. 5:13-CV-463-H

JAMES SCOTT ROBINSON,
Petitioner,

v.

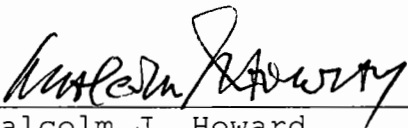
UNITED STATES OF AMERICA,
Respondent.

ORDER

This matter is before the court on remand from the United States Court of Appeals for the Fourth Circuit so that this court may assess the impact of Montgomery v. Louisiana, 136 S.Ct. 718 (2016) on petitioner's § 2255 motion.

The government is directed to file a response to petitioner's § 2255 motion within 30 days of the filing of this order. Petitioner may respond within 21 days of the filing of the government's response. The filings should address both the timeliness of the motions in light of Montgomery as well as the merits, if the motion is deemed timely. The court directs M. Gordon Widenhouse, Jr. to continue to represent petitioner for purposes of his § 2255 motion pending before this court.

This 23rd day of January 2018.



Malcolm J. Howard
Senior United States District Judge